

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:11-CR-158-JCM (CWH)
)	
FRANKLIN ESPINO-ZAMORA,)	
)	
Defendant.)	

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on December 6, 2011, defendant FRANKLIN ESPINO-ZAMORA pled guilty to Count One of a One-Count Criminal Indictment charging him in Count One with Illegal Alien in Possession of a Firearm, in violation of Title 18, United States Code, Section 922(g)(5)(A).

This Court finds defendant FRANKLIN ESPINO-ZAMORA agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment and the Plea Memorandum. Docket #1, #31, #33.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the Plea Memorandum and the offense to which defendant FRANKLIN ESPINO-ZAMORA pled guilty. #1, #31, #33.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

. . .

- 1 (a) a J.C. Higgins Model 30 .22-caliber rifle bearing no serial
- 2 number;
- 3 (b) a Winchester Model 94 .32 Winchester Special rifle bearing serial
- 4 number 5086310;
- 5 (c) a Winchester Model 94AE .30-30 caliber rifle bearing serial
- 6 number 6334420;
- 7 (d) a Blue Sky Model M1 .30-caliber rifle bearing serial number
- 8 1607533;
- 9 (e) a Norinco 7.62 millimeter rifle bearing serial number 1602922;
- 10 (f) an L.C. Smith 12-gauge shotgun bearing serial number 182023;
- 11 (g) a Mossberg Model 500A 12-gauge shotgun bearing serial
- 12 number J969053;
- 13 (h) a Remington Model 870 Wingmaster 20-gauge shotgun bearing
- 14 serial number T436990X;
- 15 (i) a Colt Model AR-15 .223-caliber rifle bearing serial number
- 16 SP65181;
- 17 (j) a CZ Model 24 .380-caliber handgun bearing serial number
- 18 164713;
- 19 (k) a Chinese Model MAK-90 Sporter 7.62 millimeter rifle bearing
- 20 serial number CW11352;
- 21 (l) a General Motors Model M1 .30-caliber rifle bearing serial
- 22 number 112364;
- 23 (m) a Remington Model 700 .30-06 caliber rifle bearing serial number
- 24 A6421257;
- 25 (n) a Ruger Model 10/22 .22-caliber rifle bearing serial number 118-
- 26 38391;

(o) a Mossberg Model 183KD .410-gauge shotgun bearing serial number 80606; and

(p) any and all ammunition (“property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of FRANKLIN ESPINO-ZAMORA in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney’s Office at the following address at the time of filing:

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...

1 Michael A. Humphreys
Assistant United States Attorney
2 Daniel D. Hollingsworth
Assistant United States Attorney
3 Nevada State Bar No. 1925
Lloyd D. George United States Courthouse
4 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101
5

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
7 following publication of notice of seizure and intent to administratively forfeit the above-described
8 property.
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10 DATED this 27th day of December, 2011.

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12 
13 UNITED STATES DISTRICT JUDGE
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PROOF OF SERVICE

I, Elizabeth Baechler-Warren, Forfeiture Support Associate Paralegal, certify that the following individuals were served with a copy of the foregoing (proposed) Preliminary Order of Forfeiture on December 13, 2011, by the below identified method of service:

CM/ECF:

Jonathan Sussman
Federal Public Defender
411 E. Bonneville Ave.
Las Vegas, NV 89101
Email: Jonathan_Sussman@fd.org
Attorney for the Defendant Franklin Espino-Zamora

Rachel M. Korenblat
Federal Public Defender
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Attorney for the Defendant Franklin Espino-Zamora

/s/ Elizabeth Baechler-Warren
Elizabeth Baechler-Warren
Forfeiture Support Associate Paralegal